



August 15, 2023

VIA ECF

Hon. James R. Cho, U.S.M.J.
U.S. District Court – Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: *Melgar v. Pie Chatach 1776 LLC D/B/A Pescada et al.*,
Case No.: 1:23-cv-00917-OEM-JRC**

To Your Honor:

This office represents Defendants Rovi Cohen and Raphael Treitel in the above-captioned action, brought under the Fair Labor Standards Act (“FLSA”) and related New York Labor Law (“NYLL”) statutes. This letter serves as a response to Your Honor’s request made at the Status Conference on August 15, 2023, for clarification on undersigned and this office’s representation of the named Defendants in the instant action, along with other issues. See Dkt. No. 49, 53.

First, please be advised that our office represents **Mr. Rovi Cohen as well as Mr. Raphael Treitel**. The undersigned gravely apologizes to Your Honor and Your Honor’s staff, on behalf of her client, to her office’s colleagues and staff, as well as to opposing counsel, for misspeaking at the August 15, 2023, Status Conference. Please find attached as an exhibit an Amended Notice of Appearance for the undersigned, which explicitly states that the undersigned – and thereby, Johnson Litigation Group, P.C. – represents Raphael Treitel as well as Rovi Cohen. As such, this office *does not* represent the Corporate Defendant, Pie Chatach 1776 LLC D/B/A Pescada.

Please be further advised that Defendant Binyomin Minster, the last-named Defendant in the instant action, is also not represented by Johnson Litigation Group. He is currently alive and well. However, Defendant Minster has not indicated to any other Defendant whether he will be obtaining representation for the within action.

Defendants Rovi Cohen and Raphael Treitel (hereinafter, the “Defendants”) acknowledge the outstanding discovery brought to the Court’s attention by Plaintiff’s counsel during the August 15, 2023, Status Conference. The Defendants shall respond to the outstanding discovery by the new discovery deadlines set forth in the Court’s August 15, 2023, Order. See Dkt. No. 53.



Lastly, Defendants Cohen and Treitel await Plaintiff's settlement demand. Upon receipt of the demand, Defendants shall provide a response to the Plaintiff's settlement demand in one (1) business week.

The Defendants Rovi Cohen and Raphael Treitel, their attorneys, as well as this office thank Your Honor, Your Honor's staff, and the Court for its thoughtfulness and consideration of the issues addressed in this letter.

Sincerely,

/s/ *Deborah R. Kick*

DEBORAH R. KICK, ESQ.

JOHNSON LIT. GRP., P.C.

Attorneys for Defendants

ROVI COHEN

RAPHAEL TREITEL

1 Linden Place, Suite 207

Great Neck, New York 11021

CC (via ECF):

LIZABETH SCHALET, ESQ.

The Legal Aid Society – Employment Law Unit

Attorney for Plaintiffs

199 Water Street, Ste 3rd Floor

New York, New York 10038

212-298-3176

lschalet@legal-aid.org

MICHAEL FRANK AUTUORO, ESQ.

JEFFREY MOK, ESQ.

ELIZABETH SAYLOR, ESQ.